AdvanceMe Inc v. AMERIMERCHANT LLC

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Doc. 174 Att. 20

Vinson&Elkins

Graham E. Sutliff gsutliff@velaw.com Tel 512.542.8805 Fax 512.236.3290

August 14, 2007

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Mr. Robert Matz Paul, Hastings, Janofsky & Walker, LLP Five Palo Alto Square Sixth Floor Palo Alto, California 94306-2155

Re: AdvanceMe v. AmeriMerchant, LLC et al., No. 6:06-CV-082 (E.D. Texas)

Dear Robert:

This letter is in response to your letter sent at 11:37 a.m., Central Standard Time today informing me of your intention to visit First Funds' office tomorrow. Less than 20 hours notice of your arrival at First Funds' offices in New York certainly does not constitute reasonable notice. As you know, I have previously requested that you provide at least three days notice of your intended visit. In the future, I would appreciate the common courtesy of reasonable notice.

In an effort to allow you to inspect First Funds production immediately (without notice), First Funds will comply with your request for inspection of the hard copy documents as well as the electronically stored information ("ESI") that has been produced to date. My colleague, Mr. Walker, has rearranged his schedule at the last minute to meet you for your inspection.

As I have stated in the past, First Funds will provide you an index (and key) for the hard copy production in an effort to help you understand the production's organization. With respect to the hard copy production and the ESI production, First Funds will make an employee available to answer questions you may have regarding the organization of the production.

I need to speak with you this evening regarding the logistics for your review. Please call me to discuss.

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Sincerely,

Graham E. Sutliff

cc: Bill Schuurman

Brian Buss

Hilary Preston

Floyd Walker

Doug McSwane

Matt Rowan

Ronald Lemieux

Shaneé Williams

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